IN RE: PETITION FOR ZONING VARIANCE N/S Middleborough Road, 150.91' W of Nanticoke Road (2000 Middleborough Road) 15th Election District 5th Councilmanic District

Mrs. Henry Griffith Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \*

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 90-562-A

The Petitioner herein requests a variance to permit a building to tract boundary of 15 feet for Lots 1 and 2, and 10 feet for Lot 3, all in lieu of the required 35 feet each, and a window to street right-of-way of 20 feet in lieu of the required 25 feet for Lot 3 for a proposed subdivision in accordance with Petitioner's Exhibit 1.

The Petitioner, Natalie Griffith, also known as Mrs. Henry Griffith, by her son, Joseph W. Griffith, Power of Attorney, appeared and testified. Also appearing on behalf of the Petition was Buck Jones, Builder, and Michael K. Smith, Land Surveyor with BPS/Land Technology, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 2000 Middleborough Road, consists of 1.44 acres zoned D.R. 5.5 and is improved with a one story dwelling, which was built by Petitioner and her husband in 1955. Said property is located within the Chesapeake Bay Critical Areas near Norman Creek. Testimony indicated the Petitioner is desirous of subdividing the subject property to create two additional building lots. Testimony indicated the unique shape of the lot makes it difficult to maximize the allowable density for the site. Mr. Jones testified the size of the lot and its zoning would permit a subdivision of eight lots. Mr. Griffith and Mr. Smith testified the requested variances will not

result in any detriment to the health, safety or general welfare of the surrounding community. Further, both gentlemen indicated that denial of the variances will result in practical difficulty and unreasonable hardship to Petitioner. Mr. Smith testified that Petitioner is aware that the property is located within the Chesapeake Bay Critical Areas and will comply with all levelopment requirements imposed by the Department of Environmental Protection and Resource Management (DEPREM).

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Peti-

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures with-

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

> 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

2) Conserve fish, wildlife, and plant habitat; and

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 570 day of September, 1990 that the Petition for Zoning Variance to permit a building to tract boundary of 15 feet for Lots 1 and 2, and 10 feet for Lot 3, all in lieu of the required 35 feet each, and a window to street right-of-way of 20 feet in lieu of the required 25 feet for Lot 3 for a proposed subdivision, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein;

> 1) The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time es the 30-day appellate process from this Order has expired. If. for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated August 16, 1990, attached hereto and made a part hereof.

> Com MN as forming ANN M. NASTAROWICZ Deputy Zoning Commissioner for Laltimore County

PETITION FOR ZONING VARIANCE 40-562-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.2.a, 504 (CMDP VB6.A) To allow building to tract boundaries of 15 ft. for lots #2 & #1 and 10 ft. for lot #3 in lieu of the required 35 ft. each; AND To allow a window to street right-of-way of 20 ft. in

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

	are the legal owner(s which is the subject of	of the property
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ract Purchaser:	Legal Owner (s).	Comp. 1-5
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Baltimore County, that property b missioner of Baltimore County i	in Room 106. County Office Building in	Towson, Baltimore
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OTHER .		

Hardships and Pratical Difficulties

- 1. Due to age, it will be too much hardship for the client to sell more than the proposed number of lots.
- 2. Configuration of the subject site makes it difficult to maximize the allowable density and saleability.
- 3. The proposed subdivision of the site into just three lots will eliminate the difficulties associated with a much longer panhandle.

BPS/land technology, Inc. **Engineers & Surveyors** P.O. Box 5614 • Baltimore, MD 21210 • (301) 435-0800 Beginning on the north side Middleborough Road (40 feet wide) at the distance of 150.91 feet west of Nanticoke Road, thence for the six following courses and distances: 1. south 77 degrees 40 minutes 31 seconds west - 172.53 feet, 2. north 20 degrees 12 minutes 29 seconds west - 165.14 feet, 3. south 77 degrees 40 minutes 31 seconds west - 55.52 feet, 4. north 20 degrees 12 minutes 29 seconds west - 266.70 feet, 5. north 69 degrees 47 minutes 31 seconds east - 99.98 feet,& 6. south 35 degrees 20 minutes 09 seconds east - 479.94 feet.

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Notice Of Hearing more County, by authority of the Zoning Act and Regulations of Bel-timore County will hold a public hearing on the property identified herein in Floors 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towcon. laryland 21204 as follows: Petition r. Zoning Variance 《安文》等等 TOO LINE THAT KEELS Case Number:90-562-A N/S Middleborough Coad 150.91 W of Nanticoke Road 2000 Middleborough Road, Lots 1, 2 & 3 5th Election District - 5th Councilmanic 7 562-A Peationer(s): Mrs. Henry Conflith 🔪 Hearing Date: FRIDAY, AUGUST 24, 1990 at 2:00 p.m. boundaries of 15 tt. for lots ttl-and #2 and 10 tt. for lot #3 in lies of the required 35 th seath; AND to allow a window to street right-of-way of 30 It in lieu of the inquired 25 t, for let in the event that this Polition is granted, a building permit itely be seemed within the thinty (30) day appeal period. The Zoning Commissional sell, between, expension any request fac a stay of the issuance of said permit during this pe riod for good cause she a. Such noezing set above or proceeded a hearing. J.ROBERT HAINES

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published

in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on July \$19, 19 96.

5. Zeke Orlow.

PO 106175

CASE NUMBER: 90-582-A

D4AD4#D119MICHRC

\$125.66

Baltimore County **Zoning Commisioner** County Office Building

8/24/90

Posting and Advertising Fee ...... \$125.68

BA CO01:49PNO8-24-90

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

August 15, 1990

Mrs. Henry Griffith 2000 Middleborough Road

Baltimore, MD 21221

RE: Item No. 415, Case No. 90-562-A Petitioner: Mrs. Henry Griffith Petition for Zoning Variance

Dear Mrs. Griffith:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines
Zoning Commissioner

Mr. Henry Griffith

2000 Middleborough Road Baltimore, Maryland 21221 Re: Petition for Zoning Variance

CASE NUMBER: 90-562-A N/S Middleborough Road, 150.91 W of Naticoke Road 2000 Middleborough Road, Lots 1, 2 & 3 15th Election District - 5th Councilmania

HEARING: FRIDAY, AUGUST 24, 1990 at 2:00 p.m.

Petitioner(s): Mrs. Henry Griffith

Dear Mrs. Griffith:

Please be advised that \$ 125,66 is due for advertising and posting of the above captioned property.

> THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner



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Dennis F. Rasmussen

Your petition has been received and accepted for filing this 20th day of June, 1990.

> J. ROBERT HAINES ZONING COMMISSIONER

Petitioner: Mrs. Henry Griffith, et ux Petitioner's Attorney:

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

June 28, 1990



NOTICE OF HEARING

County will hold a public hearing on the property identified herein in Room 106 of the County Office Building

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore

located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows: Petition for Zoning Variance

CASE NUMBER: 90-562-A N/S Middleborough Road, 150.91 W of Naticoke Road 2000 Middleborough Road, Lots 1, 2 & 3 15th Election District - 5th Councilmanic Petitioner(s): Mrs. Henry Griffith HEARING: FRIDAY, AUGUST 24, 1990 at 2:00 p.m.

Variance to allow building to tract boundaries of 15 ft. for lots #1 and #2 and 10 ft. for lot #3 in lieu of the required 35 ft. each; AND to allow a window to street right-of-way of 20 ft. in lieu of the required 25 ft. for lot #3.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

BALTIMORE COUNTY, MARYLAND

DATE: July 12, 1990

INTER-OFFICE CORRESPONDENCE

The Petitioner requests a Variance to allow building to tract boundaries of 15 ft. for Lot Nos. 2 and 1, and 10 ft. for Lot No. 3

in lieu of the required 35 ft.; and to allow a window to street right-of-way of 20 ft. in lieu of the required 25 ft. for Lot No. 3.

In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the

J. Robert Haines

Office of Planning at 887-3211.

Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Mrs. Henry Griffith, Item No. 415

cc: Mrs. Henry Griffith

comments.

PK/JL/cmm

Baltimore County Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

Mr. Joseph W. Griffith

2000 Middleborough Road

Baltimore, Maryland 21221

September 5, 1990

RE: PETITION FOR ZONING VARIANCE N/S Middleborough Road, 150.91' W of Nanticoke Road (2000 Middleborough Road) 15th Election District - 5th Councilmanic District Mrs. Henry Griffith - Petitioner Case No. 90-562-A

Dear Mr. Griffith:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

a MNo farmery ANN M. NASTAROWICZ Deputy Zoning Commissioner

for Baltimore County

cc: Chesapeake Bay Critical Areas Commission Tawes State Office Bldg., D-4, Annapolis, Md. 21404

DEPREM

People's Counsel

Baltimore County
Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

June 27, 1990



Mr. J. Robert Haines Zoning Commissioner County Office Building

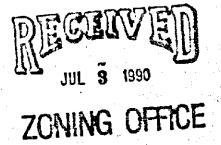
Towson, Maryland 21204

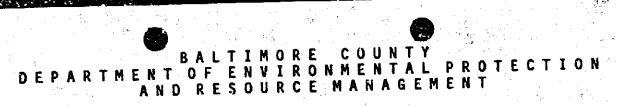
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 415, 423, 425, and 426.

Michael A Hour Michael S. Flanigan Traffic Engineer Associate II

MSF/lvw





INTER-OFFICE CORRESPONDENCE

Mr. Robert J. Haines Zoning Commissioner

The second

July 19, 1990

SUBJECT: Zoning Variance #415 Mrs. Henry Griffith Property

The Department of Environmental Protection and Resource Management's Chesapeake Bay Critical Area Program has requested a Findings Plan on the above referenced zoning variance.

As soon as we receive the requested information, we will continue our review and submit our Findings to your office. If you have any questions, I can be contacted at X2904.

RALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The subject property was granted a waiver of CRG meeting by

Please review the attached plan for concurrence with current

If you cannot respond by the above date, please contact our

the Office of Planning & Zoning. However, CRG approval signatures must

(SEE OTHER SIDE FOR COMMENTS)

development regulations and give us your approval or comments by

Al Wirth - SWM

Susan Wimbley

District 15 C 5

W-90-142

be obtained.

Attachment cc: File

July 23, 1990.

Bob Bowling - Dev. Eng. (3)

Capt. Kelly - Fire Departmen

Pat Kincer - Rec. & Parks

Bureau of Public Services

Chuck Weiss - Sanitation Larry Brocato - SHA

Rocky Powell - DEPRM Larry Pilson - DEPRM

Dave Flowers - DEPRM

ECarlyRichardsp # Zoning?

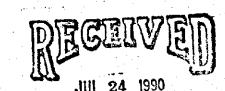
Frank Fisher - Current Planning

Rahim Famili - Traffic Engineering

DATE: July 2, 1990

DCF:KC:ju

cc: Mrs. Janice Outen Ms. Gwynn Stephens



ZONING OFFICE

## BALTIMORE COUNT DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

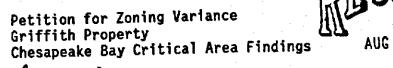
TO: Mr. J. Robert Haines Zoning Commissioner

DATE: August 16, 1990

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance Griffith Property

Case-90-562-A



ZONING OFFICE

SITE LOCATION

The subject property is located at 2000 Middleborough Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mrs. Henry Griffith

APPLICANT PROPOSAL

The applicant has requested a variance from section 1801.2.C.2.a, 504 (CMDP VB6.A) of the Baltimore County Zoning Regulations to permit building to tract boundaries of 15 feet for lots #2 and #1 and 10 feet for lot #3 in lieu of the required 35 feet each; and to allow a window to street right-of-way of 20 feet in lieu of the required 25 feet for

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

- "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- 2. Conserve fish, wildlife and plant habitat; and
- Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

6/7/90 Date BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL ROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 4/5. Zoning Advisory Committee Meeting of Jane 19,1990 Property Owner: Mrs. Henry Griffith Location: NIS Middleberragh Rd, 150.91'W of Nanticoka Rd.

COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

( ) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins. ( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.

Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and severage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination

of waste oil must be in accordance with the State Department of the Environment. ( ) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestoes, 887-3775.

Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

Soil percolation tests, have been \_\_\_\_, must be \_\_\_\_, conducted. ) The results are valid until

( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

( ). Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore

County Standards must be drilled. ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

( ) shall be valid until ( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property

and approval of Building Fermit Applications. ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacterio-

( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental

Effects Report must be submitted. For more information contact the Division of Environmental Management In order to subdivide this property, the owner or developer will be required to comply with the subdivision

regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.

Memo to Mr. J. Robert Haines August 16, 1990 Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec.

Finding: This property is located approximately 600 feet from the mean high tide of Norman Creek. Therefore, no disturbance of the 100 foot buffer shall occur.

2. Regulation: "A minimum 25 foot buffer shall be maintained around all non-tidal wetlands so that development or other activities will not adversely affect the wetlands or the wildlife contained therein <a href="Saltimore County Code Sec. 22-212(a)">.</a>

Finding: No wetlands were found on this site or within 25 feet of the site. Therefore, this development shall not adversely affect the wetlands or the wildlife contained therein.

3. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>.

Finding: The sum of all impervious surfaces is just under 15% of the site. Additional impervious surfaces shall not be allowed if they increase the sum to above 15% of the site.

4. Regulation: "For the alteration of forest or developed woodlands as delineated on the January, 1986 Baltimore County Forest and Developed Woodlands aerial photographs:

(1) No more than 20% of the sum of all forest and developed woodland may be cleared, and this shall be replaced by afforestation on a 1:1 acreage basis. An additional 10% of the forest or developed woodland may be cleared provided in such case, however, that every acre of forest or developed woodland cleared shall be replaced by 1.5 acres of afforestation.

(2) Forest or developed woodland cleared in LDAs shall be replaced in IDAs, LDAs, R.C. 20, or R.C. 50 Zones. Forest or developed woodland removed in the R.C. 20 or R.C. 50 Zones shall be replaced only in R.C. 20 or R.C. 50 Zones.

(3) The forest or developed woodland cleared shall be replaced according to an approved forest establishment plan. If the configuration of the site precludes on-site replacement, it is the applicants responsibility to secure an off-site area suitable for afforestation and in compliance with d(1) and d(2) preceding. If an appropriate off-site area cannot be located or secured, the County will allow the applicant to pay a fee-in-lieu." <Baltimore County Code, Section 22-217 (c)>.

Memo to Mr. J. Robert Haines August 16, 1990 Page 3

Finding: This property is a designated developed woodland on the January, 1986 Baltimore County Forest and Developed Woodlands aerial photographs. Areas to be cleared have not been shown on the proposed plan. A Forest Establishment Plan and a Forest Establishment Agreement have not been submitted with the plan. All developed woodlands shall be replaced according to an approved Forest Establishment Plan.

5. Regulation: "The stormwater management system shall be designed so that:

(1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;

(2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and

(3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 22-217(h)>.

<u>Findings:</u> In order to comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached drainage information sheet). This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

> Robert W. Sheesley, Director Department of Environmental Protection and Resource Management

RWS:DCF:ju Attachment

cc: The Honorable Ronald B. Hickernell The Honorable Norman W. Lauenstein The Honorable Dale T. Volz Mrs. Janice B. Outen

Petitioners

Joseph W. Ariffth Buck Jones Michael & S. H.		ADDRESS 2000 Middleborough Rd. 212. 300 SASSAINAS RD. 2122.
Buck Jones		300 SASSATAAS KD. 2122
Michael & S. H.	-	634 DEEPOENE RD. 21210
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	700 East Joppa R Towson, Maryland (301) 887-4500	d 21204-5500		
	Paul H. Reincke			
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	. Robert Hair			
Z	oning Commis Efice of Pla	sioner inning and Z		Dennis F. Rasmı County Exe
B	altimore Cou	nty Office !	Building	
T	owson, MD 21	.204		
IR.	E: Property	Owner:	MRS. HENRY GRIFFITH	
	Location	14 (1997) 1 <b>3</b> (1997)	#2000 MIDDLEBOROUGH ROAD	
	Item No.	: 415	Zoning Agenda: JUNE 19, 1990	
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Baltimore County

Fire Department

